

Attorney Docket No.: GOTE.P-037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICIAL

Applicant: Hakansson
Serial No.: 09/581,058
Filed: July 24, 2000
Confirmation No.: 6868
Group Art Unit: 3763
Examiner: Roz Ghafoorian
For: Percutaneous Bone Anchored Transferring Device

**REQUEST FOR WITHDRAWAL
OF IMPROPER HOLDING OF ABANDONMENT**

Honorable Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Sir:

Please withdraw the improper holding of abandonment mailed November 3, 2003. We filed a Notice of Appeal on June 3, 2003, received by the USPTO on June 6, 2003. Attached are copies of the Notice of Appeal and Extension Request as filed, with confirmatory post card. In addition, it is noted that Examiner Roz Ghafoorian called and we told her that we had filed a Notice of Appeal. She declined to have a copy of the paper faxed. Thus, the Notice of Abandonment is plainly improper.

Respectfully,

OPPEDAHL & LARSON, LLP




Marina T. Larson, Ph.D., PTO Reg. No. 32,038
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Dillon, CO 50435-5068
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CERTIFICATE OF FACSIMILE under 37 CFR § 1.8(a)

I hereby certify that this paper and its attachments mentioned herein, are being sent via facsimile to: 703-872-9303, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, on November 6, 2003.

November 6, 2003
Date of Signature


Mary Winston

The stamp of the Patent/Trademark Office hereon acknowledges receipt of the papers listed below:

Docket No.: *607E.P-037*

Applicant: *Hakansson*

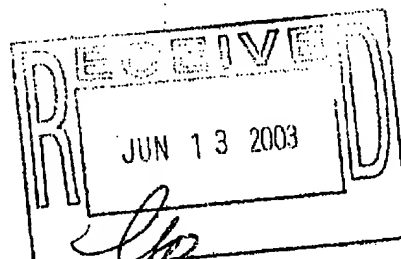
Serial No.: *09/581,058*

Confirmation No.: *6868*

Date Mailed: *6/3/03*

Papers:

*Notice of Appeal
Petition for Extension of
Time
PTO 2038*



REPORTING LETTER *[initials]*

COMPUTER DOCKET

PAPER DOCKET

8/6/03 Appeal Brief due



PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2,050.00)

Complete if Known

Application Number 09/581,058
 Filing Date 7/24/2000
 First Named Inventor Hakansson
 Examiner Name Roz Ghafoorian
 Art Unit 3763
 Attorney Docket No. GOTE.P-037

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account

Deposit Account Number

15-0810

Deposit Account Name
Oppedahl & Larson LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
24	-20**	4	X	18.00	=	72.00
6	-3**	3	X	88.00	=	258.00
Multiple Dependent						

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					330.00

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	65	Extension for reply within first month	
1252	410	2252	206	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	950.00
1254	1,450	2254	725	Extension for reply within fourth month	
1256	1,970	2256	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1480	130	2480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	770.00
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3) (\$)					1,720.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type) Martha T. Larson, Ph.D.

Registration No. (Attorney/Agent)

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Complete (if applicable)

Telephone

970-488-6600

Signature

Martha T. Larson

Date

November 6, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.